

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

PATRICK LECLAIRE

Plaintiff,

vs.

**BUDDY STORBECK'S DIESEL
SERVICE, INC. d/b/a UD TRUCKS
OF SAN ANTONIO,**

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. SA-11-CA-0619

**PLAINTIFF'S UNOPPOSED MOTION FOR
LEAVE TO ENLARGE TIME TO RESPOND TO
DEFENDANT'S SECOND MOTION FOR SUMMARY JUDGMENT**

NOW COMES, Patrick LeClaire, files this, his Plaintiff's Unopposed Motion for Leave to Enlarge Time to Respond to Defendant's Second Motion for Summary Judgment, and respectfully shows the Court as follows:

As previously indicated in Plaintiff's Advisory to the Court, Plaintiff's counsel is unavailable through the 16th of July, 2012. This is due to a previously scheduled family vacation with young children and depositions which are scheduled to occur in Los Angeles, California. Plaintiff's counsel returns from California on Saturday, the 14th of July, 2012.

Responding to the Second Motion for Summary Judgment will take some time because of research and the number of evidentiary attachments made.

Plaintiff is a solo practitioner who no longer has any other attorneys working in his firm.

Plaintiff has conferred with opposing counsel and they do not oppose enlarging the time for Plaintiff to respond to Defendant's summary judgment up to and including the 3rd of August, 2012.

The purpose of this Motion is not to address any of the merits of Defendant's second summary judgment nor is it to see delay, but it is solely for the purpose so that just may be done. Indeed, Plaintiff's counsel is presently dictating this instant motion via telephone from his vacation in the Colorado Rocky Mountains.

WHEREFORE PREMISES CONSIDERED, Plaintiff prays that this Court grant his Unopposed Motion for Leave to Enlarge Time to Respond to Defendant's Second Motion for Summary Judgment up to and including the 3rd of August, 2012. Plaintiff also prays for any or further relief, both at law or in equity to which he is justly entitled.

By: /s/ Glenn Levy

Glenn D. Levy

State Bar No. 12264925

906 Basse, Suite 100

San Antonio, Texas 78212

Telephone: (210) 822-5666

Facsimile: (210) 822-5650

Attorney for Plaintiff,

PATRICK LECLAIRE

CERTIFICATE OF CONFERENCE

Plaintiff has conferred with Defendant, and Defendant does not oppose this motion.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Plaintiff's Motion for Leave to Enlarge Time to Respond to Defendant's Second Motion for Summary Judgment was served on all counsel of record via the ECF Federal Filing System on June 28, 2012:

Daniel C. Andrews
State Bar No. 01240940
10100 Reunion Place, Suite 600
San Antonio, TX 78216
Telephone: (210) 344-3900
Facsimile: (210) 366-4301
**COUNSEL FOR DEFENDANT,
BUDDY STORBECK'S DIESEL SERVICE, INC.
D/B/A UD TRUCKS OF SAN ANTONIO**

/s/ Glenn Levy
Glenn D. Levy